



City of Santa Barbara
California

ATTACHMENT 2

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 029-99

6100 HOLLISTER AVENUE

BERMANT DEVELOPMENT COMPANY

APRIL 23, 1999

SUBJECT:

APPLICATION OF BERMANT DEVELOPMENT COMPANY (DEVELOPER), AGENT FOR CITY OF SANTA BARBARA, AIRPORT DEPARTMENT (PROPERTY OWNER), 6100 HOLLISTER AVENUE, APN 73-080-36; ZONING: A-I-1/A-I-2-AIRPORT INDUSTRIAL 1 AND 2; AIRPORT SPECIFIC PLAN DESIGNATION: INDUSTRIAL (MST97-0715)

The proposed project involves the development of an 180,000 square feet (sq. ft.) mixed-use industrial and commercial development, including 160,000 sq. ft. of office and R&D space, and 20,000 sq. ft. of retail/restaurant space. A total of 465 parking spaces are proposed on-site. The discretionary applications required for this project are:

1. A Development Plan to allow for 180,000 sq. ft. of non-residential development (SBMC §28.87.300), including a Recommendation to the City Council to allow for 80,000 sq. ft. of non-residential development be permitted under the Economic Development category of City Charter Section 1508 (Measure E), to allow for Miravant Medical Technologies as the primary tenant of the proposed project; and
2. A Modification to provide less than the 528 code-required parking spaces for the project (SBMC §28.92.026.A.1).

A Supplement to the Santa Barbara Municipal Airport Specific Plan Final Environmental Impact Report/ Assessment (FEIR/EA) (SCH #930811127) has been prepared for the project and, prior to an action on the project, the Planning Commission must make findings pursuant to the California Environmental Quality Act Guidelines Section 15091 (ENV97-0573). (WJ)

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, seven persons appeared to speak, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 23, 1999
2. Site Plan

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

I. Approved the subject application making the following findings and determinations:

A. Environmental Findings

1. Findings for Certification of the Final Environmental Impact Report (CEQA Guidelines Section 15090)

Pursuant to Section 15090 of the California Environmental Quality Act Guidelines, the Planning Commission certifies the Final Supplemental Environmental Impact Report for the Santa Barbara Municipal Airport Industrial/Commercial Specific Plan prepared for the Santa Barbara Gateway Center project, finding that:

- a. The Final Supplemental Environmental Impact Report for the Santa Barbara Municipal Airport Industrial/Commercial Specific Plan (ENV97-0573) has been completed in compliance with the California Environmental Quality Act.
- b. The Final Supplemental Environmental Impact Report for the Santa Barbara Municipal Airport Industrial/Commercial Specific Plan was presented to the Planning Commission of the City of Santa Barbara. The Planning Commission of the City of Santa Barbara reviewed and considered the information contained in the Final Supplemental Environmental Impact Report.
- c. The Final Supplemental Environmental Impact Report for the Santa Barbara Municipal Airport Industrial/Commercial Specific Plan reflects the City of Santa Barbara Planning Commission's independent judgment and analysis. Additionally, as discussed in CEQA Guidelines Section 15151, the Final Supplemental Environmental Impact Report for the Santa Barbara Municipal Airport Industrial/Commercial Specific Plan is a good faith effort toward full disclosure of the environmental effects of the project.

2. Findings of Unavoidable, Significant Impacts Caused by the Project

- a. The Final Supplemental Environmental Impact Report for the Santa Barbara Municipal Airport Industrial/Commercial Specific Plan identifies significant long-term impacts to air quality from increased vehicular traffic emissions in the project area.

While mitigation measures have been required, which partially reduce impacts, no feasible mitigation measures have been identified which could reduce these impacts to a less than significant level.

- b. The Initial Study prepared for the Final Supplemental Environmental Impact Report for the Santa Barbara Municipal Airport Industrial/Commercial Specific Plan identifies significant impacts to schools, solid waste, and transportation facilities. While mitigation measures have been required which partially address identified impacts, no feasible mitigation measures have been identified which could reduce these impacts to a less than significant level. The Initial Study noted that these impacts are consistent with the findings of the Final Environmental Impact Report/Environmental Assessment (FEIR/EA) for the Santa Barbara Municipal Airport Industrial/Commercial Specific Plan, and that the impacts associated with the proposed project do not result in new impacts, or a substantial increase in the severity of the impacts identified in the FEIR/EA. These impacts were, therefore, not discussed in the scope of the Supplemental EIR.

3. Findings of Reduction of Significant Impacts Caused by the Project

Pursuant to Section 15091 of the California Environmental Quality Act Guidelines, the Planning Commission finds that changes and/or alterations have been required in or incorporated into the proposed project which avoid or substantially lessen the following significant effects identified in the Initial Study and Supplemental Environmental Impact report: air quality, hazardous materials, water quality, cultural resources (archaeological and historic resources), biotic communities, wetlands and ground transportation (U.S. 101 SB Ramps/Los Carneros Rd. only) impacts, as summarized below and specified in the recommended conditions of approval for the project as follows:

- a. Construction-related air quality impacts will be mitigated by the inclusion of appropriate dust control measures on all grading and building plans (Condition No. D-8).
- b. Impacts from smoke and odors from restaurant uses will be mitigated through the implementation of an Odor and Smoke Abatement Plan to be approved by the City and the Air Pollution Control District (Condition No. D-6).

- c. Hazardous materials impacts will be mitigated by the preparation and implementation of a Construction Contingency Plan including provisions outlined in the EIR/EA (Condition No. D-9).
- d. Water quality impacts will be mitigated by the preparation and implementation of a Drainage and Erosion Control Plan for the proposed project, and the incorporation of industrial interceptors on-site to treat surface runoff prior to entering the storm drain system (Condition Nos. E-2 and F).
- e. Cultural resources impacts on archaeological resources will be mitigated through the implementation of a Phase 3 data recovery, index sampling, and monitoring program, as approved by the City Environmental Analyst and Historic Landmarks Commission, and as necessary by the Historic Landmarks Commission (Condition Nos. D-3, D-4 and D-8i).
- f. Cultural resources impacts on historic resources have been mitigated by the documentation of all buildings eligible for Structure of Merit designation by a qualified architectural historian in accordance with the City Master Environmental Assessment Cultural Resources Section (not conditioned in the project since documentation already completed).
- g. Biotic communities and wetlands impacts will be mitigated by the Airport's continuing participation in and support of the goals of the Goleta Slough Management Committee, including the development and completion of the Goleta Slough Ecosystem Management Plan, assistance in identifying long-term funding to support the Committee and its activities, making available any reports on water quality monitoring and other information relating to the City-owned portion of the Slough and by submitting projects that may potentially affect the Slough and its tributary creeks to the Committee for review and comments. The proposed project will also be required to complete a drainage and erosion plan, provide native, drought-tolerant plant species, and provide industrial intercepts to pre-treat run-off from the project site. (Condition Nos. A-2 and C-2, E-2, and F).
- h. Traffic impacts from the proposed project would be mitigated through implementation of a Transportation Demand Management (TDM) program for the project site and the provision of a traffic signal at the corner of Hollister Avenue and Frederic Lopez Road (Condition Nos. A-5 and B-10).

- i. Construction-related traffic impacts would be mitigated by the inclusion of appropriate construction traffic control measures on all grading and building plans (Condition No. D-8 l-n).

4. Findings of Infeasibility of Alternatives

Pursuant to Section 15091 of the California Environmental Quality Act Guidelines, the Planning Commission makes the finding that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the project alternatives identified in the Final Supplemental EIR for the following reasons:

- a. The No Project and Reduced Size Alternatives will not reduce air quality impacts to a less than significant level.
- b. The No Project and Reduced Size Alternatives will not meet the objectives of the Airport to provide revenues necessary to support Airline Terminal and Runway safety improvements and ongoing operation and maintenance, nor will they meet the City's goal of attracting high tech economic development businesses to the South Coast.
- c. The No Project and Reduced Size Alternatives will not provide as much revenue to the Airport as would the Environmentally Superior Alternative (the proposed project) for the purpose of supporting Airline Terminal and Runway safety improvements or ongoing operation and maintenance of the Airport.
- d. The No Project and Reduced Size Alternatives will not provide for the 80,000 square foot Economic Development Alternative which is intended to replace lost jobs and to provide more economic diversity through the provision of higher paying jobs in high technology and related industries.
- e. The No Project and Reduced Size Alternatives will provide fewer tax revenues to both the City and the County than will the Environmentally Superior Alternative.
- f. No alternative project sites are available within the Airport area that would allow for the development of the proposed project. Sites outside the Airport area would not allow for the implementation of the economic development goals of the Specific Plan for the Airport area.

5. Statement of Overriding Considerations

Pursuant to Section 15093 of the California Environmental Quality Act, the Planning Commission has balanced the benefits of the proposed project against the unavoidable environmental impacts and has concluded that the benefits of the proposed project outweigh the significant air quality impacts sufficiently to justify approval of the proposed project. The Planning Commission makes the following Statements of Overriding Considerations, which support approval of the proposed project, notwithstanding the identified impacts that are not mitigated to a level of insignificance:

- a. The lease revenues generated by the development of the proposed project will assist the Airport in maintaining and operating the Airport as a self supporting entity, including the needed expansion of the Airline Terminal and associated improvements and the construction of the Runway 7/25 Safety Areas necessary to meet Federal Aviation Administration requirements.
- b. The proposed project will provide economic development for the South Coast consistent with the City's Economic Development Plan and Implementation Program (EDPIP) and will further result in the creation of needed highly paid employment.
- c. The Economic Community Project and the EDPIP call for encouragement of new high technology business, especially in the business clusters of software development, medical biotechnology and telecommunications. Approval of the proposed project will allow for the implementation of this goal within the Airport area.
- d. As part of the implementation of the Specific Plan Economic Development Alternative, the City will provide \$240,000 to offset its impacts on air quality on the South Coast. In addition, the development generated by the Specific Plan Economic Development Alternative, including the proposed project, is consistent with the amount of development projected as part of the 1996 Clean Air Plan.
- e. The proposed project has been designed in accordance with the Airport Industrial Area Specific Plan and Airport Area Design Guidelines. The development of the Specific Plan area, including the proposed project, takes into account the policies of both the University of California at Santa Barbara's Long Range Development Plan and the Goleta Community Plan.
- f. The proposed project will improve Airport area aesthetics, particularly along Hollister Avenue. This will provide an asset to both the City and the surrounding area of Goleta.

- g. Transportation facilities impacted by the proposed project are outside the jurisdiction and responsibility of the City of Santa Barbara.

B. Project Findings

1. Modifications (SBMC §28.92.026)

Parking or loading requirements. The modification will not be inconsistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking space or loading space in the immediate area

2. Development Plan Approval (SBMC §28.87.300)

- a. The proposed development complies with all provisions of the Zoning Ordinance. The project site is zoned A-I-1/A-I-2-Airport Industrial 1 and 2. The proposed uses are permitted within these zones. The northern portion of the property, in which the majority of office/R&D uses are located, is zoned A-I-1 which permits a range of office, R&D, and light industrial uses. The southern portion of the property is zoned A-I-2 which allows for uses permitted in the A-I-1 zone, plus incidental retail uses.
- b. The proposed development is consistent with the principles of sound community planning, given the Specific Plan designations for the site, the proposed use, and the project description and design, and the project consistency with Specific Plan. The proposed uses appear consistent with the site's Specific Plan Land Use designations of Industrial, Commercial, and Entertainment. The proposed project therefore appears consistent with the principles of sound community planning.
- c. The proposed development will not have a significant adverse impact upon the neighborhood's aesthetics/character in that the size, bulk or scale of the development will be compatible with the neighborhood. The project site is located in an existing commercial and industrial corridor along Hollister Avenue which is comprised of one and two-story commercial buildings of varying sizes. A number of other office/industrial projects similar in size and scale, including Circon, University Business Park, and Raytheon, are also located in the vicinity of the proposed project. The existing golf course east of the project site provides a buffer between the project site and Old Town Goleta. The Specific Plan and the Goleta Community Plan envision uses of this nature along Hollister Avenue. The proposed project is also generally consistent with the recently adopted Airport Area Design Guidelines.

- d. The proposed development will not have a significant unmitigated adverse impact upon City and South Coast affordable housing stock. As discussed in the Draft SEIR for the proposed project, the applicant proposes to designate their 36-unit income-restricted apartment units within the Storke Ranch project, currently under construction in Goleta as income-restricted housing to offset the demand for 36 lower-income housing units anticipated to be generated by the proposed project.
- e. The proposed development will not have a significant unmitigated adverse impact on the City's water resources. The existing development on the site demands 2.6 AFY of water. The proposed project is estimated to demand 19.55 AFY (based on the City's Water Demand Factor and Conservation Study "User's Guide" Document No. 2). Therefore, the change in water use would be approximately 16.95 AFY. When added to the 1993 water usage baseline of 104 AFY identified in the Specific Plan FEIR/EA, the water usage in the Specific plan area would increase to 120.95 AFY which is within the 240 AFY allocated to the Airport area. The potential increase in demand of 16.95 AFY would not significantly impact the water supply available to the Airport.
- f. The proposed development will not have a significant unmitigated adverse impact on the City's traffic. Transportation facilities impacted by the proposed project are outside the jurisdiction and responsibility of the City of Santa Barbara.
- g. Resources will be available and traffic improvements associated with the proposed project are anticipated to be in place at the time of project occupancy. The project is located within an existing developed area currently served by City and County services. Infrastructure improvements for the project site are proposed to be completed in conjunction with project construction.

3. Finding for Economic Development Category Square Footage

The Planning Commission recommends that the Council find that the proposed project meets the definition of an Economic Development Project as it would allow for the expansion of a businesses or industries in a sector which is currently present only in a limited manner, and would provide products or services which are currently not available or are in limited supply either locally or regionally.

II. Said approval is subject to the following conditions:

- A. Prior to the issuance of any building permit or Public Works permit for the project on the Real Property, the following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be included in the lease provisions for the project which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director:
 1. The Developer shall provide for the uninterrupted flow of water through the Real Property, except as required for the detention basin, including, but not limited to, swales, natural water courses, conduits, and any access road as appropriate. The Developer is responsible for the adequacy of any private drainage facilities, including the detention basin, and for the continued maintenance thereof in a manner which will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
 2. The Developer shall comply with the Landscape Plan as approved by the Architectural Board of Review (ABR). Said plan shall consist of plant materials that are native to the South Coast of Santa Barbara County. Said plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
 3. The development of the Real Property approved by the Planning Commission on April 23, 1999 is limited to 160,000 sq. ft. of office and R&D use by Miravant Medical Technologies, or successor entity as approved by the City Council, and 20,000 sq. ft. of incidental retail and restaurant use, and the improvements shown on the Development Plan signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
 4. Exterior lighting, where provided, shall comply with the City's Lighting Ordinance and shall be of low intensity in order to promote safety, but shall not impose on adjacent properties and uses. No floodlights shall be allowed. Lighting shall be directed toward the ground.
 5. Prior to issuance of building permits for the proposed project, the Developer shall prepare a Transportation Demand Management program for the project site, subject to review and approval by the City Environmental Analyst and Transportation Division. The Developer or Employers on the project site will be responsible for continued compliance with the TDM program which shall include the following:
 - a. The developer or all employers shall contact the Metropolitan Transit District (MTD) to purchase bus passes or the equivalent for their employees. These passes shall be provided free of charge to employees who request them for travel to and from work. Notice of the free passes shall be provided to existing employees and new employees when they are hired.

- b. Notice of MTD bus routes and schedules shall be placed and maintained up-to-date in a central (public) location accessible to employees.
 - c. Employees shall be made aware of the Ride-Sharing Program or similar successor programs administered by the Santa Barbara County Association of Governments or successor agency. The Owner and/or all employers shall have all employees registered semi-annually in the Ride-Sharing Program and shall make every effort to encourage participation in the program.
 - d. The applicant, developer, or tenant shall provide on-site shower and lunch facilities.
 - e. The tenant shall provide for shuttle/vanpool service for project employees, to the satisfaction of the Transportation Manager.
 - f. The developer or tenant shall provide monetary incentives and disincentives to promote the use of alternative transportation.
- 6. The Developer or Employers on the project site will be responsible for continued compliance with the source reduction/recycling plan included in the Initial Study approved as part of the Initial Study.
 - 7. The Developer shall record a maintenance agreement between the leaseholder or successors and the City to maintain all planter walls, entry monuments, enhanced pavement materials (colored concrete, stamped concrete, tiles, etc.), and other minor surface improvements within public easements or right of way. Costs associated with removal and/or replacement of items located over utility pipes during utility maintenance shall be borne by the leaseholder or successors.
 - 8. The Developer shall record a maintenance agreement between the leaseholder or successors and the City for maintenance associated with the detention basin and any private drainage improvements within City easements or within the public right of way, and for periodic parking lot cleaning.
 - 9. Within one year of issuance of a certificate of occupancy for the first office or R&D building on the subject property, the developer shall prepare a plan for provision of child care, subject to review and approval by the Planning Commission, based on the need for employee child care generated by the project. Such childcare may be provided either on-site, or off-site, in close proximity to the project site.
 - 10. The developer shall record an agreement between the leaseholder or successors to allow for conjunctive use of on-site parking for use by future recreational uses on adjacent properties, subject to review and approval by the Transportation Manager and Airport Department.

11. On-site recreational facilities shall be open to the public, subject only to those restrictions generally applicable to City parks and public facilities regarding closing times.
- B. The Developer shall submit the following or evidence of completion of the following to the Public Works Department prior to issuance of a Public Works Permit or Building permit for the project:
1. The Developer shall submit improvement plans for construction of public improvements on Hollister Avenue, Frederic Lopez Road, Francis Botello Road and David Love Place. As determined by the Public Works Department, the improvements shall include sidewalks, curb and gutter, parkway improvements including landscaping, concrete City standard driveways, underground utilities, appropriate directional and regulatory traffic control signs, driveway slot drains, curb drain outlets, sewer system, water system, and adequate positive drainage. The public sidewalk fronting Hollister Avenue shall be eight feet wide. The sidewalks fronting Frederic Lopez Road, Francis Botello Road and David Love Place shall be six feet wide. The improvement plans shall be prepared by a registered Civil Engineer and approved by the City Engineer.
 2. The Developer shall submit improvement plans for construction of private drainage and storm water detention improvements. Improvements shall include design of a 25-year minimum drainage conveyance and detention system. The improvement plans shall indicate the 100-year storm event overland escape routes. The drainage conveyance system shall include profiles of the underground utilities, erosion protection and energy dissipation of concentrated drainage flow. Include the hydraulic and energy grade lines and supporting calculations. Storm drainpipes shall be reinforced concrete pipe. These plans shall be prepared by a registered Civil Engineer and shall be reviewed by the Public Works Department and Building and Safety Division.
 3. The storm water detention basin shall be designed in compliance with the Santa Barbara County Flood Control design standards. Variances proposed from the County Flood Control Standards shall be reviewed and approved by the City Public Works Department. The aggregate base at the bottom of the detention basin shall be covered with vegetation to match the detention basin side slopes.
 4. The Developer shall provide deepened building footings for the buildings adjacent to the public easement along Hollister Avenue.
 5. For the street frontages of Frederic Lopez Road, Francis Botello Road and David Love Place, provide Type A City Standard street lights at all street intersections and along property frontages. Spacing shall be no more than 250 feet between light standards. For Hollister Avenue frontage, the spacing shall be no more than 200 feet. Coordinate street light design and construction with the Public Works Facilities Construction Superintendent (805) 564-5415.

6. Coordinate all utility work with the associated utility company. Submit a completed Underground Utility Contact Sheet to the Land Development Engineer reflecting coordination with all utility agencies.
 7. Prior to construction, provide video inspection of existing or new sanitary sewer and storm drain pipes. Also provide video inspection of all pipes after completion of construction. Submit copies of the videotapes to the Airport Department Project Engineer. Any damaged pipe shall be repaired and/or replaced as necessary as determined by the City.
 8. The City Arborist shall review and approve the landscape improvement plans. The City Arborist recommendations shall be indicated on the improvement plans. Tree selection proposed within public easements, public right of way and five-feet beyond the easement and/or right of way shall be reviewed and approved by the City Arborist and the Airport Department Project Engineer. Root barrier and/or other protective means as approved by the City Arborist, shall be provided to protect roots from damaging utilities.
 9. Trees shall not be located within five-feet (horizontally) of utility pipes or surface structures. Trees within the public right of way parkway shall be planted in root-barriers per the City Arborist recommendations and City standard details.
 10. The applicant shall install, or participate in the installation of a traffic signal at the intersection of Hollister Avenue and Frederic Lopez Road as required by the City Transportation Division and Airport Department.
 11. City roads shall remain open at all times unless approved by the County Fire Department, City Airport Department, and City Transportation Division.
 12. The developer shall pothole the existing utilities beneath the detention basin to confirm utility elevations. Results shall be submitted to the Airport Project Engineer prior to the excavation of the detention basin.
- C. The following is subject to review and approval by the Architectural Board of Review:
1. The landscape plan shall consist of plant materials that are native to the South Coast of Santa Barbara County where feasible on-site, and shall prohibit the use of invasive species to the greatest extent feasible.
 2. The project shall be reviewed by an energy specialist, and recommendations to reduce energy usage shall be incorporated into the project/building design, subject to review and approval by the Architectural Board Of Review.
 3. The detention basin shall be designed as a bio-swale by a qualified biologist or other licensed professional, subject to review and approval by the ABR and the Public Works Department.

4. The design of the transit shelter shall be compatible with the design of the buildings on site.
5. Redesign the main buildings provide more variety, to soften the buildings symmetry, and to be more consistent with Santa Barbara regional architecture. This also includes consideration of reduction in the amount of glass, and a restudy of materials, especially for trellises and similar elements so that there is no glass over structural elements.
6. The parking area shall be redesigned to maximize efficiency and minimize the number of single loaded parking areas.

D. The Owner shall complete the following prior to the issuance of building permits:

1. A qualified representative of the Developer, approved by the City Planning Division and paid for by the developer, shall be designated as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of the mitigation monitoring and reporting program to the City. The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in this program.
2. Provide a construction schedule including the name and phone number of the PEC as a contact person to property owners within 450 feet of the project.
3. The Developer shall be responsible for the preparation of a Phase 3 data recovery, index sampling, and monitoring program, in accordance with the Phase 1 and 2 recommendations approved by the Historic Landmarks Commission on October 28, 1998, subject to review and approval by the City Environmental Analyst and the Historic Landmarks Commission prior to the issuance of permits for any ground disturbing activity.
4. Contract with a City-approved archaeologist for monitoring during all ground disturbing activities associated with the project including, but not limited to, grading, excavation, trenching, vegetation or paving removal and ground clearance in the areas identified in the Phase 1, 2, and 3 studies prepared for the project and approved by the Historic Landmarks Commission. The contract shall establish a schedule for monitoring and a report to the City Environmental Analyst on the findings of the monitoring. The Contract shall be subject to the review and approval of the Environmental Analyst, and the executed contract shall be reproduced on demolition, grading and building plans.
5. A construction conference shall be scheduled by the General Contractor. The conference shall include representatives from the Public Works Department, Building Division, and Planning Division; and the applicant, property owner, Project Environmental Coordinator, archaeologist, and contractor.

6. The applicant shall prepare an Odor and Smoke Abatement Plan to be approved by both the City and the County Air Pollution Control District (APCD) prior to issuance of a building permit for any restaurant use within the project.
7. The applicant shall contribute to the development of transportation improvements such as roadway and freeway intersection improvements, bikeways, and shuttle acquisitions and operations, up to a maximum of \$1,309,868. Priority for allocation of funds shall be given to projects that support alternative transportation.
8. The following shall be finalized and specified on the construction plans submitted for building permits:
 - a. During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
 - b. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
 - c. Trucks transporting fill material to and from the site shall be covered from the point of origin.
 - d. The haul route(s) for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the City Transportation Engineer.
 - e. After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:
 - (1) Seeding and watering until grass cover is grown;
 - (2) Spreading soil binders;
 - (3) Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;
 - (4) Other methods approved in advance by the Air Pollution Control District.
 - f. All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

- g. Soil stockpiled for more than two days shall be covered, kept moist or treated with soil binders.
- h. During building demolition, water application or shrouding shall be used, as necessary, to ensure that dust emissions from this activity do not create a nuisance.
- i. The contractor shall designate personnel to monitor construction activities and ensure that excessive dust would not occur from construction sites.

If any archaeological artifacts, exotic rock (non-native) or unusual amounts of shell or bone are uncovered during any on-site grading, trenching or construction activities, all work must stop immediately in the area and a City-approved archaeologist retained to evaluate the deposit. The City of Santa Barbara Environmental Analyst must also be contacted for review of the archaeological find(s).

If the discovery consists of potentially human remains, the Santa Barbara County Coroner and the California Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Environmental Analyst.

The City-approved archaeologist shall be present during grading and/or construction activities, which disturb the area described above. The archaeologist's monitoring shall include the following provisions:

- (1) Any soils disturbance during site preparation, grading (cut and fill), earthquake retrofit, foundation, and/or utilities trenching in the project area be monitored by the City-approved archeologist during these activities. For those areas in which the locations of potentially important historic and prehistoric archaeological remains are anticipated to occur based on the results of the Phase 1 survey, an extended Phase 1 survey shall be consisting of limited backhoe trenching or shovel test pits (STPs) be conducted prior to the construction phase of work in order to identify and document those resources and determine whether additional Phase 2 evaluation is required.
- (2) If cultural resources are encountered or suspected, work shall be halted immediately, and the City Environmental Analyst shall be notified. The archaeologist shall assess the nature, extent and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment including, but not limited to, redirection of grading and/or excavation activities. If the findings are potentially significant, a Phase 3 recovery program shall be prepared and accepted by the Environmental Analyst and the Historic Landmarks Commission. That portion of the Phase 3 program, which requires work on-site, shall be completed prior to continuing construction in the affected area.

- (3) If prehistoric or other Native American remains are encountered, a Native American representative shall be contacted and shall remain present during all further subsurface disturbance in the area of the find.
- j. Noise generating construction activity shall be prohibited Saturdays, Sundays, and holidays and between the hours of 5 p.m. to 8 a.m. Holidays are defined as those days, which are observed by the City of Santa Barbara as official holidays by City employees.
- k. All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
- l. Construction parking shall be provided as follows:
 - (1) During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Community Development Director.
 - (2) On-site or off-site storage shall be provided for construction materials and equipment. Storage of construction materials within the public right-of-way is prohibited.
- m. All construction-related trips (workers, equipment and deliveries) shall not be scheduled during peak hours (4:00 p.m. to 6:00 p.m.) to help reduce traffic on adjacent streets and roadways. The routes of all construction related trucks, three tons or more, shall be subject to the review and approval of the Traffic Engineer.
- n. A plan for rerouting of vehicular and pedestrian traffic around the project area during project construction shall be submitted by the applicant and reviewed and approved by the Public Works Transportation Division prior to issuance of any grading or building permits for the proposed project. This plan shall also include measures to ensure pedestrian safety during project construction.
- o. Recycling of demolition/construction materials shall be carried out and containers shall be provided on site for that purpose, with specific provisions for recycling of wood and other historic components associated with Building 247 (Maintenance Hangar).
- 9. The Developer shall submit a construction contingency plan addressing methods to control potential migration of contamination discovered during construction as well as safety considerations for on-site personnel and the general public, as required by Mitigation measures 3.10-1 and 3.10-2. The Plan shall be subject to review and approval by the County Hazardous Material Unit, the City Fire Department, Airport Department, and Planning Division. Details of the plan shall include but not be limited to the following:
 - a. Procedures for identification of contaminated soil including an on-site monitor observing earthmoving operations who has experience in hazardous waste and contaminated sites.

- b. Measures that shall be taken immediately to protect workers and the public from exposure to contaminated areas (e.g., fencing or hazard flagging, covering of contaminated soils with plastic, etc.) and prevent migration of the contaminants to the surrounding environment.
 - c. Steps to be taken following initial discovery of contaminated soils. Notification shall be made to the Santa Barbara County Hazardous Materials Unit (HMU) immediately following identification of contamination within the construction area.
- E. The following requirements shall be incorporated into, or submitted with the construction plans submitted to the Division of Building and Safety with applications for building permits. All of these construction requirements must be completed prior to the issuance of a Certificate of Occupancy:
1. Space and/or bins for storage of recyclable material shall be provided within the proposed project site.
 2. Industrial interceptors shall be installed, as necessary, for the proper handling of liquid wastes containing grease, flammable wastes, sand, acid or alkaline substances in order to protect liquid wastes resulting from parking and cleaning areas from contaminating the public or private storm drainage systems. These devices shall be maintained per manufacturers specifications.
 3. Planning Commission Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

_____ Property Owner	_____ Date
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_____ Developer	_____ Date
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_____ Contractor	_____ Date	_____ License No.
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_____ Architect	_____ Date	_____ License No.
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_____ Engineer	_____ Date	_____ License No.
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- F. The following items shall be included in a Drainage and Erosion Control Plan to be submitted with the grading plan for the proposed project:
1. Schedule construction to minimize the amount of graded soil exposed at any given time.
 2. Install sedimentation, silt and grease traps in paved areas as appropriate, to minimize pollution and turbidity in the Goleta Slough. The Plan shall provide for periodic maintenance of these traps beyond the construction period to provide for long-term water quality protection of the Slough. The Plan shall also include periodic cleaning of the parking lot area.
 3. Clear brush and vegetation only as required to accommodate necessary grading.
 4. To the extent feasible, limit grading activities to the non-rainy season. If construction during the rainy season is unavoidable, use silt fences, straw bales and other erosion control measures, as necessary, to control siltation of local drain-ages during wet periods.
 5. Cover stockpiled fill soils.
 6. Seed and plant disturbed areas with native vegetation immediately following construction activities.
 7. Protect (e.g., riprap) any new storm drain outlets as appropriate to prevent scouring at the point of discharge.
 8. Provide dust control by wetting exposed soil surfaces.
 9. Apply any other Best Management Practices appropriate to the project to protect surface water quality.
 10. As with the proposed action, new industrial tenants would be required to provide information regarding any potential discharges (storm water, industrial processes or otherwise) that would potentially require an NPDES permit.
- G. Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots are to be pruned under the direction of the City Arborist.
 2. Public improvements as shown on the improvement plans approved by the City Engineer.
 3. A final report on the results of the archaeological monitoring shall be submitted to the Environmental Analyst within 180 days of completion of the monitoring or prior to the issuance of the first Certificate of Occupancy for the project (Final Inspection), whichever is earlier.

1 NOTICE OF DEVELOPMENT PLAN TIME LIMITS:

The development plan approved, per SBMC Section 28.87.350, shall expire four (4) years from the date of approval unless:

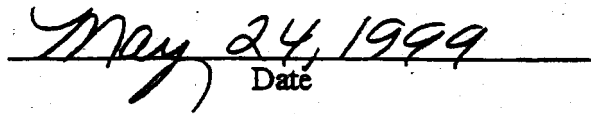
1. A building or grading permit for the work authorized by the development plan is issued prior to the expiration date of the approval.
2. A time extension is granted by the Planning Commission for one (1) year prior to the expiration date of the approval, only if it is found that there is due diligence to implement and complete the proposed project.

This motion was passed and adopted on the 23rd day of April, 1999 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 5 NAYS: 2 (Barnwell & White) ABSTAIN: 0 ABSENT: 0

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.


Anita L. Leski, Planning Commission Secretary


Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.